IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 5551 OF 2006

Sushama Pandit Kale .vs. State of Mah.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrars orders.	Court's or Judge's orders.

CORAM: A.P. LAVANDE & R.V. MORE, JJ.

DATED : SEPTEMBER 11, 2007.

Heard Mrs. Jawalkar, learned Counsel for the petitioner, Mr. A.M. Deshpande, learned A.G.P. for respondent nos. 1 & 3 and Mr. Naik, learned Counsel for respondent no.2.

By this petition under Articles 226 & 227 of the Constitution of India, the petitioner seeks direction to the respondents to appoint her on compassionate grounds and also as an earthquake affected person. Mrs. Jawalkar, learned Counsel for the petitioner, submitted that the petitioner restricts her claim as an earthquake affected person only.

The respondent no.3 has filed affidavit. In para 2 of the said affidavit, the respondent no.3 has made categorical statement that he has received communication from District Rehabilitation Officer, Latur to the effect that petitioner's name has been included in the list of earthquake affected persons on 29.8.2006 at serial no. 2205. The respondent no.3 has also annexed this communication from District Rehabilitation Officer, Latur to his affidavit in reply.

In view of the statement made in para 2 of the affidavit in reply by the respondent no.3, the petitioner's claim as earthquake affected person will have to be considered in accordance with her seniority as per list mentioned above. In view of this position, nothing survives in the petition. Same is disposed of accordingly. There will be no order as to costs.

J. **JUDGE.** **JUDGE.**